

EXHIBIT D

SUPERIOR COURT OF CALIFORNIA, COUNTY OF LOS ANGELES

Civil Division

Central District, Spring Street Courthouse, Department 12

JCCP5255
Social Media Cases

May 3, 2023
9:00 AM

Judge: Honorable Carolyn B. Kuhl
Judicial Assistant: L. M'Greene
Courtroom Assistant: M. Miro

CSR: Christine Kwon-Chang CSR# 12143
ERM: None
Deputy Sheriff: None

APPEARANCES:

For Plaintiff(s): No Appearances

For Defendant(s): No Appearances

Other Appearance Notes: (See Appearances Below)

NATURE OF PROCEEDINGS: Further Status Conference

The matter is called for hearing.

Pursuant to Government Code sections 68086, 70044, and California Rules of Court, rule 2.956, Christine Kwon-Chang CSR# 12143, certified shorthand reporter is appointed as an official Court reporter pro tempore in these proceedings, and is ordered to comply with the terms of the Court Reporter Agreement. The Order is signed and filed this date.

Appearances:

Plaintiffs – Present

Jennifer Emmel, Paul R. Kiesel, Jesse Creed, Rahul Ravipudi, Cherisse H. Cleofe, Emily Jeffcott.

Plaintiffs – LACourtConnect –

Amy Eskin, C. Brooks Cutter, Catherine M. McBain, Cherisse Cleofe, Christopher Ayers, Clinton Richardson, Javad TahbazSalehi, Jennifer S. Domer, Jonathan David Orent, Josh Autry, Katherine Massa, Lexi Hazam, Marc Mandich, Mariana A. McConnell, Michael Akselrud, Michael B. Gurien, Narmeen Nkeiti, Previn Warren, Ruth Rizkalla, S. Mary Liu, Suzanne Clark.

Defendants – Present

Ashley M. Simonsen, Christopher Chiou, Andrea Pierson, Matthew Donohue, Jonathan H. Blavin, Tarifa B. Laddon, Matt J. Blaschke, Paul W. Schmidt, Victoria A. Degtyareva.

Defendants – LACourtConnect –

Bailey Langner, Geoffrey Drake.

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The Court has considered counsel's Request for Coordination of Add-On Case and grants said request.

Cases 23CIV01287, 23STCV06277, 23STCV06685, 23STCV07277, 23STCV07750, 23STCV07763, 23STCV08004, 23STCV08659, 23STCV08891, and CIVSB2225355 are ordered coordinated with Judicial Council Coordination Proceeding No. JCCP5255.

For good cause shown, the aforementioned cases are assigned to Judge Carolyn B. Kuhl in Department 12 at Spring Street Courthouse for all further proceedings.

Said cases are determined to be complex within the meaning of Rule 3.400 of the California Rules of Court. Pursuant to Government Code section 70616 subdivisions (a) and (b), each party is ordered to pay \$1,000 for complex fees, payable to Los Angeles Superior Court, within ten (10) calendar days of service of this order.

Any future hearings on the newly coordinated case(s) are advanced to this date and vacated.

Counsel are reminded that in preparing future documents, all captions must include the Coordinated Case Number JCCP5255 along with the originally assigned case number.

Order approval date 5/3/2023.

Counsel will lodge the complaint and register of actions for each out-of-county case listed above forthwith in Department 12.

Court and counsel meet and confer regarding issues discussed in the Joint Status Conference Statement filed May 1, 2023.

Counsel shall comply with the following principles in propounding and responding to discovery: Discovery in the MDL proceeding and in this JCCP proceeding should be coordinated. Discovery requests served and responded to in the MDL will be treated as though served and responded to in the JCCP.

This court will not allow discovery in this case that duplicates what has taken place in the MDL.

If any party wishes this court to enter additional orders concerning discovery coordination, counsel shall meet and confer with opposing counsel and, if no agreement is reached, counsel shall request an informal discovery conference with the Court through a joint posting on the message board of the electronic service provider, setting forth briefly the issues on which there is

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no agreement. The court will schedule an informal discovery conference, after which any party may file a motion concerning any remaining issues.

If a Protective Order is entered in the MDL proceeding, and if the Protective Order requires a party to disclose the name of an expert to whom highly confidential information will be disclosed, Plaintiffs' counsel may file a motion to ask this Court to omit such provision from a Protective Order in this case. Plaintiffs' counsel should meet and confer with defense counsel concerning a briefing schedule and then call Dept. 12 staff to request a hearing date based on that briefing schedule.

Counsel shall follow California Rules of Court 2.550 et seq. regarding documents or information sought to be filed under seal.

The schedule for initial challenges to the Plaintiffs' pleadings shall be as follows:

On or before June 2, Plaintiffs shall identify 3 short form complaints that, together with the Master Complaint, will be the subject of the demurrers.

On July 14, or 4 weeks after the United States Supreme Court's decision in *Gonzales v. Google*, (whichever is later), Defendants shall file Joint demurrers (and individual demurrers if absolutely necessary). Four weeks after the demurrers are filed, Plaintiffs shall to file their Opposition.

Three weeks after the Opposition is filed, Defendants shall file a unitary Reply Brief.

Following the Supreme Court's decision in *Gonzalez v. Google*, the parties are to file a stipulation and proposed order setting forth the actual dates the briefs will be filed and requesting a hearing date on the motions. Counsel also shall state their agreed page length for the briefs or, failing agreement, shall state their respective requests for page limits.

By August 1, the parties are to submit to the Court their agreed Plaintiff Fact Sheet or, failing agreement, their respective proposals for Plaintiff Fact Sheets (in the form of a redline if possible). By August 1, the parties also are to submit to the Court their respective proposed lists of early production by Defendants of limited documents relevant to Plaintiffs' ability to respond to fact sheets.

Non-Appearance Case Review re: Filing of the Agreed Plaintiff Fact Sheets is scheduled for 08/04/2023 at 04:30 PM in Department 12 at Spring Street Courthouse on cases 22-CIV-03178, 22-CIV-03731, 22-CIV-03783, 22-CIV-03808, 22-CV-066, 22CV019089, 22CV409251, 22SMCV02834, 22SMCV02838, 22SMCV02875, 22STCV21355, 22STCV24332, 22STCV26778, 22STCV26829, 22STCV28200, 22STCV28201, 22STCV28202, 22STCV28204, 22STCV31543, 22STCV36006, 22STCV36184, 22STCV37068,

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22STCV38197, 22STCV38204, 22STCV38670, 22STCV38918, 22STCV38956, 22STCV39250, 22STCV39268, 22STCV40543, 22STCV40570, 22STCV40977, 23SMCV00026, 23SMCV00659, 23STCV00707, 23STCV01417, 23STCV01440, 23STCV01481, 23STCV01824, 23STCV01857, 23STCV02183, 23STCV02260, 23STCV02372, 23STCV03094, 23STCV03690, 23STCV04303, 23STCV05370, 23STCV05371, 23STCV06277, 23STCV06685, 23STCV07277, 23STCV07750, 23STCV07763, 23STCV08004, 23STCV08659, 23STCV08891, 30-2023-01306723-CU-PL-CJC, 34-2022-00329620, 37-2022-00038271-CU-PL-CTL, CIVSB2218921, CIVSB2224125, and CV2022-1472.

After the Court has reviewed the parties' submissions, the Court will set a date for discussion with the parties of remaining disputes.

By May 26, 2023, the parties are to file an agreed Plaintiff Preservation Form or a redline document indicating the parties' areas of disagreement (or each side's respective proposed Plaintiff Preservation Form).

Non-Appearance Case Review re: Filing of an Agreed Plaintiff Preservation Form is scheduled for 06/01/2023 at 04:30 PM in Department 12 at Spring Street Courthouse on cases 22-CIV-03178, 22-CIV-03479, 22-CIV-03480, 22-CIV-03588, 22-CIV-03731, 22-CIV-03783, 22-CIV-03808, 22-CV-066, 22CV019089, 22CV409251, 22SMCV02834, 22SMCV02838, 22SMCV02875, 22STCV02183, 22STCV21355, 22STCV24332, 22STCV26778, 22STCV26829, 22STCV28200, 22STCV28201, 22STCV28202, 22STCV28204, 22STCV31543, 22STCV36006, 22STCV36184, 22STCV37068, 22STCV38197, 22STCV38204, 22STCV38670, 22STCV38918, 22STCV38956, 22STCV39250, 22STCV39268, 22STCV40543, 22STCV40570, 22STCV40977, 23SMCV00026, 23SMCV00659, 23STCV00707, 23STCV01417, 23STCV01440, 23STCV01481, 23STCV01824, 23STCV01857, 23STCV02183, 23STCV02260, 23STCV02372, 23STCV03094, 23STCV03690, 23STCV04303, 23STCV05370, 23STCV05371, 23STCV06277, 23STCV06685, 23STCV07277, 23STCV07750, 23STCV07763, 23STCV08004, 23STCV08659, 23STCV08891, 30-2023-01306723-CU-PL-CJC, 34-2022-00329620, 37-2022-00038271-CU-PL-CTL, CIVSB2218921, CIVSB2224125, and CV2022-1472.

After the Court has reviewed the parties' submissions, the Court will set a date for discussion with the parties of remaining disputes.

Counsel shall continue to discuss and try to agree to a CSAM Preservation Order. If counsel

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cannot agree, Plaintiff's counsel shall file a Motion for an Order by May 26, 2023 after conferring with opposing counsel about a briefing schedule and calling Dept. 12 to obtain a hearing date based on the briefing schedule.

Court and Plaintiffs' counsel discuss the issue of a common benefit order as reflected in the court reporters' official notes.

Liaison counsel for Plaintiffs shall file a proposed order requesting that Mr. Kawamoto be appointed to the Plaintiffs' Steering Committee.

Plaintiffs' counsel shall revise and re-file the proposed order allowing some Plaintiffs' to be named by pseudonym, as reflected in the court reporters' official notes.

Non-Appearance Case Review re: Setting of a Further Status Conference is scheduled for 06/01/2023 at 04:30 PM in Department 12 at Spring Street Courthouse on cases 22-CIV-03178, 22-CIV-03731, 22-CIV-03783, 22-CIV-03808, 22-CV-066, 22CV019089, 22CV409251, 22SMCV02834, 22SMCV02838, 22SMCV02875, 22STCV21355, 22STCV24332, 22STCV26778, 22STCV26829, 22STCV28200, 22STCV28201, 22STCV28202, 22STCV28204, 22STCV31543, 22STCV36006, 22STCV36184, 22STCV37068, 22STCV38197, 22STCV38204, 22STCV38670, 22STCV38918, 22STCV38956, 22STCV39250, 22STCV39268, 22STCV40543, 22STCV40570, 22STCV40977, 23SMCV00026, 23SMCV00659, 23STCV00707, 23STCV01417, 23STCV01440, 23STCV01481, 23STCV01824, 23STCV01857, 23STCV02183, 23STCV02260, 23STCV02372, 23STCV03094, 23STCV03690, 23STCV04303, 23STCV05370, 23STCV05371, 23STCV06277, 23STCV06685, 23STCV07277, 23STCV07750, 23STCV07763, 23STCV08004, 23STCV08659, 23STCV08891, 30-2023-01306723-CU-PL-CJC, 34-2022-00329620, 37-2022-00038271-CU-PL-CTL, CIVSB2218921, CIVSB2224125, and CV2022-1472.

The Judicial Assistant hereby gives notice to Case Anywhere and Judicial Council of California.

Clerk's Certificate of Service By Electronic Service is attached.

A copy of this minute order will append to the following coordinated cases under JCCP5255: 22-CIV-03178, 22-CIV-03479, 22-CIV-03480, 22-CIV-03588, 22-CIV-03731, 22-CIV-03783, 22-CIV-03808, 22-CV-066, 22CV019089, 22CV409251, 22SMCV02834, 22SMCV02838, 22SMCV02875, 22STCV02183, 22STCV21355, 22STCV24332, 22STCV26778, 22STCV26829, 22STCV28200, 22STCV28201, 22STCV28202, 22STCV28204,

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22STCV31543, 22STCV36006, 22STCV36184, 22STCV37068, 22STCV38197, 22STCV38204, 22STCV38670, 22STCV38918, 22STCV38956, 22STCV39250, 22STCV39268, 22STCV40543, 22STCV40570, 22STCV40977, 23SMCV00026, 23SMCV00659, 23STCV00707, 23STCV01417, 23STCV01440, 23STCV01481, 23STCV01824, 23STCV01857, 23STCV02183, 23STCV02260, 23STCV02372, 23STCV03094, 23STCV03690, 23STCV04303, 23STCV05370, 23STCV05371, 23STCV06277, 23STCV06685, 23STCV07277, 23STCV07750, 23STCV07763, 23STCV08004, 23STCV08659, 23STCV08891, 30-2023-01306723-CU-PL-CJC, 34-2022-00329620, 37-2022-00038271-CU-PL-CTL, CIVSB2218921, CIVSB2224125, and CV2022-1472.

The Further Status Conference scheduled for 05/03/2023 is 'Held' for cases 22-CIV-03178, 22-CIV-03731, 22-CIV-03783, 22-CIV-03808, 22-CV-066, 22CV019089, 22CV409251, 22SMCV02834, 22SMCV02838, 22SMCV02875, 22STCV21355, 22STCV24332, 22STCV26778, 22STCV26829, 22STCV28200, 22STCV28201, 22STCV28202, 22STCV28204, 22STCV31543, 22STCV36006, 22STCV36184, 22STCV37068, 22STCV38197, 22STCV38204, 22STCV38670, 22STCV38918, 22STCV38956, 22STCV39250, 22STCV39268, 22STCV40543, 22STCV40570, 22STCV40977, 23SMCV00026, 23SMCV00659, 23STCV00707, 23STCV01417, 23STCV01440, 23STCV01481, 23STCV01824, 23STCV01857, 23STCV02183, 23STCV02260, 23STCV02372, 23STCV03094, 23STCV03690, 23STCV04303, 23STCV05370, 23STCV05371, 30-2023-01306723-CU-PL-CJC, 34-2022-00329620, 37-2022-00038271-CU-PL-CTL, CIVSB2218921, CIVSB2224125, and CV2022-1472.